

REMARKS

Claims 1-65 are pending in the instant application. The Specification has been objected to due to informalities. In addition, the Examiner has objected to claims 1-4, 13, 18, 32-40 and 62-65 due to informalities. Further, claims 1, 2, 6-10, 12-14, 17-19, 23, 27-30, 32, 36-39, 44-47, 58 and 62 have been rejected under 35 U.S.C. 103(a). Claims 3-5, 11, 15, 16, 20-22, 24-26, 31, 33-35, 40-43, 48-57, 59-61 and 63-65 have been objected to, but have been indicated as being allowable but for their dependence on a rejected base claim. Applicant is grateful for indication of the same. Claims 1-4, 13, 18, 32-40 and 62-65 have been amended. Claims 15 and 49-57 have been canceled. The Applicant submits that pending claims 1-48 and 58-65 are in condition for allowance and requests reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

Objections to the Specification

The Specification has been objected to due to informalities. Specifically, the Examiner points out that the Abstract should not exceed 150 words. The Abstract has been amended as suggested by the Examiner rendering the instant objection moot.

Claim Objections

Claims 1-4, 13, 18, 32-40 and 62-65 have been objected to due to informalities. Specifically, the Examiner objects to claims 1, 2, 13, 18, 32-40 and 62-65 because the recitation of "the files designated on the host computer" should be "the files designated by the host computer". Further, in claims 3 and 4, the Examiners objects to claims 3 and 4 because recitation of "and" should be "then". Claims 1-4, 13, 18, 32-40 and 62-65 have been amended as suggested by the Examiner rendering the instant objection moot.

Claim Rejections Under 35 USC § 103

Claims 1, 2, 6-10, 12, 17-19, 23, 27-30, 58 and 62 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Leber et al. (U.S. Publication No. 2003/0233455, hereinafter, "Leber") in view of Heath et al. (U.S. Patent No. 6,006,034, hereinafter "Heath"). Claims 13, 32, and 36-39 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Leber in view of Heath and further in view of Henry (U.S. Publication No. 2003/0182436, hereinafter "Henry"). Claims 14 and 44-47 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Leber in view of Heath and further in view of Fanning et al. (U.S. Publication No. 2002/0055920, hereinafter "Fanning"). Applicant respectfully traverses all of the rejections for at least the reason outlined below.

Independent claim 1 has been amended to include the limitations of claims 15 and 49-57, which the Examiner has indicated as being allowable for defining over the prior art. More specifically, claim 1 has been amended to include the limitation that "the CPU occupancy ratio of the file distribution/transmission/reception module is relatively smaller than that of the application program execution module such that influence of the file distribution/transmission/reception module executed in the background process with respect to the application program execution module executed in the foreground process can be minimized." Thus independent claim 1, including claims depending therefrom, i.e., claims 2-48 and 58-65, define over the prior art.

Accordingly, for at least the reasons set forth above, it is respectfully requested that the rejections to claims 1, 2, 6-10, 12-14, 17-19, 23, 27-30, 32, 36-39, 44-47, 58 and 62 under §103(a) be withdrawn.

CONCLUSION


It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is requested. It is submitted that the foregoing amendments and remarks should render the case in condition for allowance.

Accordingly, as the cited references neither anticipate nor render obvious that which the applicant deems to be the invention, it is respectfully requested that claims 1, 3-6, 8-11 and 14-20 be passed to issue.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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